

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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DATE: September 12, 2006 ACLA Letter No. 06-09

TO: All County Lead Agencies

SUBJECT: APPLICATION FOR FUNDS-SUBSTANCE ABUSE OFFENDER
TREATMENT PROGRAM (OTP)

REFERENCE: Chapter 75, 2006 Statutes (Assembly Bill 1808, Committee on Budget)
All County Lead Agency (ACLA) letter No. 06-07: OTP Letter of Intent

This letter transmits the application form for Substance Abuse Offender Treatment Program (OTP) funds and provides an overview of the program. The Fiscal Year (FY) 2006-07 Budget Act appropriated \$25 million State General Fund (SGF) for OTP. These funds must be used to serve offenders who qualify for services under the Substance Abuse and Crime Prevention Act of 2000 (SACPA). The goal of OTP is to improve SACPA offender accountability; increase show rates, retention, and completion outcomes; expand treatment services; and attain county investment. OTP is currently a two-year program, ending on July 1, 2009.

The Department of Alcohol and Drug Programs (ADP) will distribute funds to a county that demonstrates a commitment of county general funds or funds, from a source other than the state, at a ratio of nine dollars (\$9) for every one dollar (\$1) of eligible county matching funds. A county may not use any funds currently distributed by state agencies, including funds from the Substance Abuse Treatment Trust Fund, Substance Abuse Treatment and Testing Accountability Programs, and the federal Substance Abuse Prevention and Treatment Block Grant.

County eligibility for receipt of OTP funds will be determined by ADP according to specific criteria that include:

- The establishment and maintenance of a dedicated court calendar with regularly scheduled reviews of treatment progress for persons ordered to drug treatment;
- The existence or establishment of a drug court, and willingness to accept defendants who are likely to be committed to state prison;
- Establishment and maintenance of protocols for the use of drug testing to monitor offenders' progress in treatment; and
- The establishment and maintenance of protocols for assessing offenders' treatment needs and the placement of offenders at the appropriate level of treatment.

Attachment A shows: county completion rates; the percentage of remaining carryover to the FY 2005-06 allocation; the maximum amount of OTP funds counties may be eligible



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to receive; and the county match requirement. Although Attachment A indicates the counties may be eligible for total funds of \$33 million, only \$25 million is available for allocation.

The maximum amount an eligible county may receive for FY 2006-07 shall not exceed 30 percent of the county's FY 2005-06 allocation outlined in ACLA # 06-07. A county with projected unencumbered SACPA funds at the end of FY 2006-07 of more than 20 percent of its allocation is ineligible to apply for OTP funds (Attachment A). Each eligible county must indicate the amount of funds to be requested and the required county match on the OTP application.

Through the application review process, ADP will restrict or prohibit the expenditure of funds for administrative costs in determining the amount of eligible county match. ADP will also limit the expenditure of funds for services other than direct treatment and client services.

The letter of intent process revealed that total funds requested by the counties exceed the total amount available. Therefore, ADP will work with stakeholders to establish a rating criteria based on statutory authority to award OTP funding. Counties may not receive the maximum amount requested. Final award determination will be based on a competitive application review process as determined by ADP.

ADP strongly recommends that counties construct their projected program budget around direct treatment and client services for SACPA clients. Adjustments to projected program budgets may be necessary once final awards are determined. ADP anticipates that the competitive review process will give a preference to applications that indicate direct treatment and client services and the use of increased county general funds. Reliance on the use of client fees or supplantation of existing program services for the county match will be a negative factor in the evaluation because it does not reflect a county's commitment to improve outcomes as the Legislature intended. Existing program services that are currently funded by the county, but which should not factor into the county's match, include: county mental health, treatment, probation, literacy and vocational training, family counseling and other ancillary services.

Substance Abuse Offender Treatment Program Application

To apply for FY 2006-07 OTP funds, a county must submit the attached application (Attachment B). The application must be completed and returned by 5:00 p.m., October 10, 2006, to:

California Department of Alcohol and Drug Programs
Office of Criminal Justice Collaboration
1700 K Street, 5th Floor
Sacramento, CA 95814
Fax: (916) 327-7308

The county will be notified of approved OTP plans and allocation amounts in early November 2006. Each county must provide ADP with quarterly invoices detailing actual expenditures of OTP and matching funds. ADP will reimburse the county for 90 percent of approved expenditures. If ADP determines that a county is not spending the allocated amount of OTP funds, funds may be re-allocated to other counties.

The law requires ADP to audit county OTP program expenditures. Counties must establish a separate expenditure code to differentiate costs between SACPA and OTP. Expenditures not made in accordance with the audit guidelines shall be repaid to the state.

ADP is evaluating options for upgrades and modifications to utilize the SACPA Reporting Information System for OTP.

If you have questions, contact your SACPA county liaison or the Office of Criminal Justice Collaboration at (916) 445-7456 or SACPA@adp.ca.gov.

Sincerely,

[Original Signed By]

MILLICENT GOMES
Deputy Director
Office of Criminal Justice Collaboration

[Attachment A: FY 2006-07 Data Factors](#)
[Attachment B: FY 2006-07 OTP Application](#)